

HOUSE BILL No. 1996

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-10-13.

Synopsis: Transitional dormitories in prisons. Requires the department of correction to provide a transitional dormitory at each maximum and medium security facility.

Effective: July 1, 2003.

Turner

January 23, 2003, read first time and referred to Committee on Human Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1996

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 11-10-13 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2003]:
- 4 **Chapter 13. Transitional Dormitories**
- 5 **Sec. 1. Before January 1, 2005, the department shall provide a**
- 6 **transitional dormitory at each maximum and medium security**
- 7 **facility.**
- 8 **Sec. 2. (a) A transitional dormitory must provide programming**
- 9 **and training in the following areas:**
- 10 **(1) Substance abuse.**
- 11 **(2) Employment skills and vocations.**
- 12 **(3) Personal responsibility.**
- 13 **(4) Faith and religion.**
- 14 **(5) Peer support.**
- 15 **(6) Motivation.**
- 16 **(b) The department shall:**
- 17 **(1) use volunteers recruited under section 5(b)(2); and**



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(2) provide other staff;
necessary for the operation of a transitional dormitory.

Sec. 3. (a) An offender who wishes to reside in a transitional dormitory must submit a written application to the director of the transitional dormitory. An application must be on a form prescribed by the department.

(b) The director shall review each application and, not more than thirty (30) days after receipt of the application, issue a written decision to the offender.

(c) The director shall determine eligibility based on the following criteria:

(1) A preference shall be given to an offender who:

(A) is serving a sentence for an offense under IC 35-48;
and

(B) has less than thirty-six (36) months until the offender's expected release date.

(2) Previous disciplinary action taken against an offender under IC 11-11-5-3.

(3) Security risks presented by admitting an offender to a transitional dormitory.

(4) An offender's demonstrated interest in the programs offered by a transitional dormitory.

(5) An offender's previous attempts to reside in a transitional dormitory at any penal facility.

(6) Other criteria developed by the department.

(d) An offender being treated under IC 11-10-4 is ineligible for placement in a transitional dormitory unless a psychiatrist treating the offender certifies to the director at or near the time the offender submits an application under subsection (a) that the offender can meaningfully participate in the programs offered by a transitional dormitory.

Sec. 4. (a) An offender's religious preference may not be considered in determining admission to a transitional dormitory.

(b) Participation in a religious program provided in a transitional dormitory is voluntary. An offender may not be removed from a transitional dormitory under section 5 of this chapter for lack of participation in religious programming.

(c) A person who provides religious instruction in a transitional dormitory may not be offered or paid any remuneration or tangible benefit by the department in exchange for the instruction.

(d) A person providing religious instruction may not attempt to convert an offender to a particular faith or religion.



1 **Sec. 5. (a) The department shall select a person to be the**
2 **director of each transitional dormitory.**

3 **(b) The director's responsibilities include the following:**

4 **(1) Implement each program component.**

5 **(2) Recruit volunteers to provide instruction and training in**
6 **the transitional dormitory with an emphasis on recruiting**
7 **volunteers for religious programs.**

8 **(3) Oversee the day to day operations of the transitional**
9 **dormitory.**

10 **(4) Provide information requested by the superintendent**
11 **regarding an offender or a program.**

12 **(5) Remove an offender from the transitional dormitory for:**

13 **(A) population management;**

14 **(B) misconduct;**

15 **(C) security or safety concerns;**

16 **(D) mental health concerns; or**

17 **(E) lack of meaningful participation in the programs and**
18 **training.**

19 **Sec. 6. Not later than July 1, 2007, the department shall submit**
20 **an evaluation to the legislative council on the transitional**
21 **dormitory program. The report must include program evaluations**
22 **for each transitional dormitory and a recidivism study of offenders**
23 **who have successfully participated in a transitional dormitory.**

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